

Docket No.: 271564US0PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

GROUP: 1618

Masaya NISHIO

SERIAL NO: 10/533,235

EXAMINER: WESTERBERG, NISSA M.

FILED: APRIL 29, 2005

FOR: LIQUID SKIN PROTECTIVE
COMPOSITION

DECLARATION UNDER 37 C.F.R. § 1.132

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

Sir:

Now comes Masaya Nishio who deposes and states:

1. That I am a graduate of University of Tokyo and received a master degree in the year 1993.
2. That I have been employed by Kao Corporation, for 17 years as a researcher in the field of hygiene products development.
3. That I understand the English language or, at least, that the contents of the Declaration were made clear to me prior to executing the same.
4. That work producing the experimental results shown in Supplemental Table 1 was carried out by me or under my direct supervision and control. Tables 1 and 2 shown below form part of the original disclosure.

Table 1 (originally filed)

			Examples						
			1	2	3	4	5	6	7
Ingredient (A)	Block copolymer having a linear polysiloxane-polyoxyalkylene block as a recurring unit	HLB=1 ¹⁾	10		5			10	10
		HLB=3 ²⁾		10		35	20		
		HLB=7 ³⁾							
Ingredient (B)	Methyl polysiloxane 1 ⁴⁾			45					
	Methylpolysiloxane 2 ⁵⁾							20	20
	Liquid paraffin 1 ⁶⁾				20				
	Liquid paraffin 2 ⁷⁾							20	20
	Squalane				25				
	Safflower oil						46		
	Isopropyl myristate ⁸⁾		54						
	Fatty acid triglyceride ⁹⁾					25			
	Decamethylcyclopentasiloxane ¹⁰⁾		36		50		30	50	50
	Liquid isoparaffin ¹¹⁾			40					
	Organic silicone resin / octamethylcyclopolsiloxane (weight ratio 50/50) ¹²⁾								
	Methylpolysiloxane 1.5cs ¹³⁾					40			
	Methylphenylsilicone ¹⁴⁾								
Water			4.99						
Ethanol							3.979		
Dipotassium glycyrrhizinate ¹⁵⁾			0.01						
α-Tocopherol acetate							0.2		
Benzalkonium chloride ¹⁶⁾							0.001		
Viscosity (mPa·s)		12	26	11	62	30	20	20	
Skin protecting effect (%)		88	91	82	89	83	89	89	
Friction coefficient		4.6	5.4	5.8	4.8	6.1	3.1	3.1	
Applicability	Good	11	10	12	8	12	12	10	
	Poor	2	3	1	5	1	1	3	
Irritation upon application	Absent	13	8	13	12	7	13	12	
	Present	0	5	0	1	6	0	1	
Skin feel after application	Good	12	9	11	7	10	12	12	
	Poor	1	4	2	6	3	1	1	
Skin protecting effect	Present	9	9	6	11	10	10	9	
	Slightly present	4	3	6	2	2	3	4	
	None	0	1	1	0	1	0	0	

Table 2 (originally filed)

		Comparative Examples			
		1	2	3	4
Ingredient (A)	Block copolymer having a linear polysiloxane-polyoxyalkylene block as a recurring unit	HLB=1 ¹⁾			
		HLB=3 ²⁾		10	
		HLB=7 ³⁾	10		
Ingredient (B)	Methyl polysiloxane 1 ⁴⁾			35	
	Methylpolysiloxane 2 ⁵⁾				
	Liquid paraffin 1 ⁶⁾				
	Liquid paraffin 2 ⁷⁾				
	Squalane				
	Safflower oil				
	Isopropyl myristate ⁸⁾	54	60		
	Fatty acid triglyceride ⁹⁾				
	Decamethylcyclopentasiloxane ¹⁰⁾	36	40		
	Liquid isoparaffin ¹¹⁾			40	
	Organic silicone resin / octamethylcyclopolysiloxane (weight ratio 50/50) ¹²⁾				10
	Methylpolysiloxane 1.5cs ¹³⁾				85
	Methylphenylsilicone ¹⁴⁾				5
Water				14.99	
Ethanol					
Dipotassium glycyrrhizinate ¹⁵⁾				0.01	
α -Tocopherol acetate					
Benzalkonium chloride ¹⁶⁾					
Viscosity (mPa·s)		12	6	138	8
Skin protecting effect (%)		10	17	70	23
Friction coefficient		7.3	6.3	8.3	6.5
Applicability	Good	11	12	0	10
	Poor	2	1	13	3
Irritation upon application	Absent	11	12	4	8
	Present	2	1	9	5
Skin feel after application	Good	3	11	2	3
	Poor	10	2	11	10
Skin protecting effect	Present	1	2	4	4
	Slightly present	4	6	6	5
	None	8	5	3	4

Supplemental Table 1

			Supplemental Examples		Supplemental Comparative examples	
			1	2	1	2
Ingredient (A)	Block copolymer having a linear polysiloxane-polyoxyalkylene block as a recurring unit	HLB=1 ¹⁾	10	10	10	10
		HLB=3 ²⁾				
		HLB=7 ³⁾				
Ingredient (B)	Methyl polysiloxane 1 ⁴⁾					
	Methylpolysiloxane 2 ⁵⁾		25	15	32	3
	Liquid paraffin 1 ⁶⁾					
	Liquid paraffin 2 ⁷⁾		25	15	32	3
	Squalane					
	Safflower oil					
	Isopropyl myristate ⁸⁾					
	Fatty acid triglyceride ⁹⁾					
	Decamethylcyclopentasiloxane ¹⁰⁾		40	60	26	84
	Liquid isoparaffin ¹¹⁾					
	Organic silicone resin / octamethylcyclopolysiloxane (weight ratio 50/50) ¹²⁾					
	Methylpolysiloxane 1.5cs ¹³⁾					
Properties	Methylphenylsilicone ¹⁴⁾					
	Water					
	Ethanol					
	Dipotassium glycyrrhizinate ¹⁵⁾					
	α-Tocopherol acetate					
	Benzalkonium chloride ¹⁶⁾					
	Viscosity (mPa·s)		29	18	8	11
	Skin protecting effect (%)		91	87	-	85
	Friction coefficient		3.7	3.3	-	6.2
	Applicability	Good	11	12	-	12
Irritation upon application	Poor	2	1	-	-	1
	Absent	13	12	--	--	11
Skin feel after application	Present	0	1	--	--	2
	Good	12	12	--	--	4
	Poor	1	1	--	--	9
Skin protecting effect	Present	9	8	--	--	6
	Slightly present	4	5	--	--	4
	None	0	0	--	--	3

S = separated

5. In Table 1, Table 2 and Supplemental Table 1:

- 1) : "SIL-WET FZ-2203", trade name; product of Nippon Unicar Co., Ltd.
- 2) "SIL-WET FZ-2207", trade name; product of Nippon Unicar Co., Ltd.
- 3) "SIL-WET FZ-2222", trade name; product of Nippon Unicar Co., Ltd.
- 4) "SH2000 10cs", trade name; product of Dow Corning Toray Silicone Co., Ltd.
- 5) "SH200C 20cs", trade name; product of Dow Corning Toray Silicone Co., Ltd.
- 6) "Hicall K-230", trade name; product of Kaneda Corporation.
- 7) "Hicall K-350", trade name; product of Kaneda Corporation.
- 8) "EXCEPARL IPM", trade name; product of Kao Corporation
- 9) "COCONARD MT", trade name; product of Kao Corporation
- 10) "SH245", trade name; product of Dow Corning Toray Silicone Co., Ltd.
- 11) "IP Solvent 1620", trade name; product of Idemitsu Petrochemical Co., Ltd.
- 12) "KF7312F", trade name; product of Shin-etsu Chemical Co., Ltd.
- 13) "SH200C 1.5cs", trade name; product of Dow Corning Toray Silicone
- 14) "KF56", trade name; product of Shin-etsu Chemical Co., Ltd.
- 15) "CO glychinol", trade name; product of Maruzen Pharmaceuticals Co., Ltd.
- 16) "Nissan Cation M2-100", trade name; product of NOF Corporation

6. The undersigned petitioner declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

7. Further deponent saith not.

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3464225_1.DOC

Signature

西尾正也

Date

Feb / 26 / 2010